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APOTEX, INC. and APOTEX CORP.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ROCHE PALO ALTO LLC, formerly known
as Syntex (U.S.A.) LLC, and ALLERGAN,
INC., a Delaware corporation,

Plaintiffs and Counter-Defendants,

v.

APOTEX, INC., a Canada corporation, and
APOTEX CORP., a Delaware corporation,

Defendants and Counter-Plaintiffs.

Case No.: 3:05-cv-02116-MJJ

~~[PROPOSED]~~ AMENDED CASE
MANAGEMENT ORDER AND
SCHEDULE

Judge: Hon. Martin J. Jenkins
Dept.: Courtroom 11
Date: June 22, 2007

In accordance with the Court's oral ruling at the Telephonic Status Conference held on June 21, 2007, the parties hereby submit, and agree to be bound by, the following schedule:

<u>Event</u>	<u>Date</u>
<ul style="list-style-type: none"> Defendants shall produce to Plaintiffs ANDA No. 77-308 Plaintiffs shall produce to Defendants NDA No. 21-528. 	July 2, 2007
The Parties may serve a maximum of 25 Requests for Admission on the issue of infringement by this date.	July 11, 2007
Both parties' responses to RFAs due.	July 18, 2007
Plaintiffs' motion for summary judgment due.	July 30, 2007
Defendants' opposition to Plaintiffs' motion due.	August 13, 2007
Plaintiffs reply to Defendants' opposition due.	August 21, 2007
Hearing on Plaintiffs' motion, Courtroom 11.	FRIDAY, AUGUST 31, 2007 AT 9:30 AM.

To the extent the Court does not file a decision that fully disposes of this case by September 11, 2007, a Status Conference will be held on that date at 2:00 pm in Courtroom 11.

Dated: June 22, 2007

HELLER EHRMAN LLP

By /s/ Keith R. Weed

Keith R. Weed

Attorneys for Plaintiffs and Counter-Defendants

ROCHE PALO ALTO LLC and ALLERGAN, INC.

Dated: June 22, 2007

CAESAR, RIVISE, BERNSTEIN, COHEN &
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By /s/ Robert S. Silver

Robert S. Silver

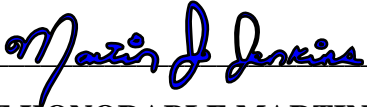
Attorneys for Defendants and Counter-Plaintiffs

APOTEX, INC. and APOTEX CORP.

AMENDED CASE MANAGEMENT ORDER

The Proposed Order and Schedule are hereby adopted by the Court as the Case Management Order for the case and the parties are ordered to comply with this Order.

Dated: June 29, 2007


THE HONORABLE MARTIN J. JENKINS
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA

ECF CERTIFICATION

I, Keith R. Weed, am the ECF User whose identification and password are being used to file this [Proposed] Amended Case Management Order and Schedule. In compliance with General Order 45.X.B, I hereby attest that Mr. Robert S. Silver, Esq. has concurred in this filing.

Dated: June 22, 2007

HELLER EHRMAN LLP

By /s/ Keith R. Weed

Attorneys for Plaintiffs and Counter-Defendants
SYNTEX (U.S.A.) LLC and ALLERGAN, INC.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record, who are deemed to have consented to electronic service are being served this 22nd day of June 2007, with a copy of this document via the Court's CM/ECF system.

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